

# Daily Digest

## HIGHLIGHTS

Senate sitting as a Court of Impeachment adjudged President Trump not guilty as charged in Impeachment Articles I and II.

## Senate

### Chamber Action

*Routine Proceedings, pages S871–S945*

**Measures Introduced:** Five bills and three resolutions were introduced, as follows: S. 3254–3258, and S. Res. 491–493. **Page S942**

#### Measures Passed:

***Authorizing Testimony, Documents, and Representation:*** Senate agreed to S. Res. 493, to authorize testimony, documents, and representation in *United States v. Stahlnecker*. **Page S945**

#### Measures Considered:

**Impeachment of President Trump:** Senate, sitting as a Court of Impeachment, resumed consideration of the articles of impeachment against Donald John Trump, President of the United States, taking the following actions: **Pages S936–39**

Article I, that in his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has abused the powers of the Presidency. (Vote No. 33) 48 guilty, 52 not guilty, two-thirds of the Senators present not having pronounced him guilty, the Senate adjudges that Donald John Trump, President of the United States, is not guilty as charged in this article. **Pages S936–37**

Article II, that in his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has directed

the unprecedented, categorical, and indiscriminate defiance of subpoenas issued by the House of Representatives pursuant to its “sole Power of Impeachment”. President Trump has abused the powers of the Presidency in a manner offensive to, and subversive of, the Constitution. (Vote No. 34) 47 guilty, 53 not guilty, two-thirds of the Senators present not having pronounced him guilty, the Senate adjudges that Donald John Trump, President of the United States, is not guilty as charged in this article.

**Pages S937–38**

The Senate, having tried Donald John Trump, President of the United States, upon two articles of impeachment exhibited against him by the House of Representatives, and two-thirds of the Senators present not having found him guilty of the charges contained therein: it is, therefore, ordered and adjudged that the said Donald John Trump be, and he is hereby, acquitted of the charges in said articles.

**Page S938**

Ordered, that the Secretary of the Senate be directed to communicate to the Secretary of State, as provided by Rule XXIII of the Rules of Procedure and Practice in the Senate. When Sitting on Impeachment Trials, and also to the House of Representatives, the judgment of the Senate in the case of Donald John Trump, and transmit a certified copy of the judgment to each.

**Page S938**

The Court of Impeachment adjourned sine die at 4:42 p.m.

**Page S939**

**Brasher Nomination—Cloture:** Senate began consideration of the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

**Page S939**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Wednesday, February 5, 2020, a vote

on cloture will occur at 5:30 p.m., on Monday, February 10, 2020. **Pages S939, S945**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S939**

A unanimous-consent agreement was reached providing that at approximately 3:00 p.m., on Monday, February 10, 2020, Senate resume consideration of the nomination; and that notwithstanding the provisions of Rule XXII, the cloture motions filed on Wednesday, February 5, 2020 ripen at 5:30 p.m. on Monday, February 10, 2020. **Page S945**

**Kindred Nomination—Cloture:** Senate began consideration of the nomination of Joshua M. Kindred, of Alaska, to be United States District Judge for the District of Alaska. **Page S939**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit. **Page S939**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S939**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S939**

**Schelp Nomination—Cloture:** Senate began consideration of the nomination of Matthew Thomas Schelp, of Missouri, to be United States District Judge for the Eastern District of Missouri. **Page S939**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Joshua M. Kindred, of Alaska, to be United States District Judge for the District of Alaska. **Page S939**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S939**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S939**

**Kness Nomination—Cloture:** Senate began consideration of the nomination of John Fitzgerald Kness, of Illinois, to be United States District Judge for the Northern District of Illinois. **Pages S939–40**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition

of the nomination of Matthew Thomas Schelp, of Missouri, to be United States District Judge for the Eastern District of Missouri. **Pages S939–40**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S939**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S939**

**Halpern Nomination—Cloture:** Senate began consideration of the nomination of Philip M. Halpern, of New York, to be United States District Judge for the Southern District of New York. **Page S940**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of John Fitzgerald Kness, of Illinois, to be United States District Judge for the Northern District of Illinois. **Page S940**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S940**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S940**

**Executive Communications:** **Pages S941–42**

**Additional Cosponsors:** **Pages S942–43**

**Additional Statements:** **Page S941**

**Authorities for Committees to Meet:** **Page S945**

**Record Votes:** Two record votes were taken today. (Total—34) **Pages S937–38**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 5:15 p.m., until 11:30 a.m. on Thursday, February 6, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S945.)

## Committee Meetings

*(Committees not listed did not meet)*

### ATHLETE SAFETY

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine athlete safety and the integrity of U.S. Sport, after receiving testimony from Ju'Riese Colon, U.S. Center for SafeSport, Denver, Colorado; Tory Lindley, Northwestern University, Carrollton, Texas, on behalf of the National Athletic Trainers' Association; and Travis T. Tygart, United States Anti-Doping Agency, Colorado Springs, Colorado.